

PATTON BOGGS LLP
ATTORNEYS AT LAW

RECEIVED
CENTRAL FAX CENTER

FEB 09 2007

1660 Lincoln Street, Suite 2050
Denver CO 80264
(303) 830-1776

Facsimile: (303) 894-9239

FAX TRANSMISSION

DATE: February 9, 2007

PTO IDENTIFIER: **Application Number** 10/823,294-Conf. #4536
Patent Number
Inventor: Kent Voorhees et al.

MESSAGE TO: US Patent and Trademark Office
FAX NUMBER: (571) 273-8300

FROM: **PATTON BOGGS LLP**
Carl A. Forest
PHONE: (303) 894-6114
Attorney Dkt. #: 022116.0102PTUS

PAGES (Including Cover Sheet): 20

CONTENTS: Certificate of Transmission (1 page)
Amendment in Response to Non-Final Office Action mailed 01/09/2007 (18 pages)

If your receipt of this transmission is in error, please notify this firm immediately by collect call to sender at (303) 894-6114 and send the original transmission to us by return mail at the address below.

This transmission is intended for the sole use of the individual and entity to whom it is addressed, and may contain information that is privileged, confidential and exempt from disclosure under applicable law. You are hereby notified that any dissemination, distribution or duplication of this transmission by someone other than the intended addressee or its designated agent is strictly prohibited.

PATTON BOGGS LLP
1660 Lincoln Street, Suite 1900, Denver, Colorado 80264
Telephone: (303) 830-1776 Facsimile: (303) 894-9239

RECEIVED
CENTRAL FAX CENTER

FEB 09 2007

PTO/SB/97 (09-04)

Approved for use through 07/31/2006. OMB 0651-0031

U. S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.


Application No. (if known): 10/823,294

Attorney Docket No.: 022116.0102PTUS

Certificate of Transmission under 37 CFR 1.8

I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office.

on February 9, 2007
Date


Signature

Theresa Cope

Typed or printed name of person signing Certificate

N/A
Registration Number, if applicable

(303) 894-6163
Telephone Number

Note: Each paper must have its own certificate of transmission, or this certificate must identify each submitted paper.

Amendment in Response to Non-Final Office Action mailed 01/09/2007
(29 pages)

Docket No.: 022116.0102PTUS
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Kent Voorhees et al.

RECEIVED
CENTRAL FAX CENTER

FEB 09 2007

Application No.: 10/823,294

Confirmation No.: 4536

Filed: April 12, 2004

Art Unit: 1648

For: APPARATUS AND METHOD FOR
DETECTING MICROSCOPIC LIVING
ORGANISMS USING BACTERIOPHAGE

Examiner: Z. Lucas

AMENDMENT IN RESPONSE TO NON-FINAL OFFICE ACTION

MS Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

INTRODUCTORY COMMENTS

In response to the Office Action dated January 9, 2007, please amend the above-identified U.S. patent application as follows:

Amendments to the Claims are reflected in the listing of claims which begins on page 2 of this paper.

Remarks/Arguments begin on page 16 of this paper.